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June 16

Mr. William D. Beal, Jr.  
Assistant to Director  
State of New Hampshire  
Fish and Game Department  
Concord, New Hampshire

Dear Mr. Beal:

You have inquired whether a resident of Maine, properly licensed in that state to take lobsters, may sell his catch on a wholesale basis to New Hampshire lobster dealers without procuring a New Hampshire license to do so. The answer to this question is in the negative.

R.L. c. 245, s. 53-a, par. III provides that "No person . . . shall engage in a wholesale trade in lobsters . . . without first having procured . . . a license therefor." This language is clear and unequivocal, and requires no further interpretation. Paragraph IV of the same section provides first that a resident wholesaler must pay \$25.00 for his license and a non-resident must pay \$50.00 for his license.

Paragraph I of the said section 53-a exempts from the requirements of a retail dealer's license those lobstermen who have a valid license to take, transport and sell lobsters. However, a similar exemption does not appear for non-resident retail dealers, or for any wholesale dealer.

Very truly yours,

Arthur E. Bean, Jr.  
Assistant Attorney General

AEB, Jr/T

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